

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : To Be Assigned
First Named Inventor : Hasso MEINERT, et al.
Filed : April 14, 2005
Docket No. : 037204.56176US
Customer No. : 23911
Title : Production of a Dye Agent for Coloring Cells in the
Human or Animal Body

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §§ 1.97 AND 1.98

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicants hereby notify the U.S. Patent and Trademark Office of the documents which are listed on the attached Form PTO-1449 and/or listed herein and which the Examiner may deem relevant to patentability of the claims of the above-identified application.

The relevance of WO 99/58160 and U.S. Patent No. 4,764,360 to the subject matter of the present invention is given in the specification of the present invention.

In compliance with the concise explanation requirement under 37 C.F.R. § 1.98(a)(3) for foreign language documents, Applicants enclose herewith a copy of a corresponding foreign Search Report citing such documents.


The present Information Disclosure Statement is being filed (1) no later than three months from the application's filing date or (2) before the mailing

date of the first Office Action on the merits (whichever is later), and therefore no certification under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicants do not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

Respectfully submitted,

April 14, 2005



James F. McKeown
Registration No. 25,406
Kening Li
Registration No. 44,872

CROWELL & MORING LLP
Intellectual Property Group
P.O. Box 14300
Washington, DC 20044-4300
Telephone No.: (202) 624-2500
Facsimile No.: (202) 628-8844
370888

Substitute for form 1449A/PTO <h2 style="text-align: center;">INFORMATION DISCLOSURE STATEMENT BY APPLICANT</h2> <p style="text-align: center;">(use as many sheets as necessary)</p>			Complete if Known		
			Application Number	To Be Assigned	
			Filing Date	April 14, 2005	
			First Named Inventor	Hasso MEINERT	
			Art Unit	To be Assigned	
			Examiner Name	To be Assigned	
			Attorney Docket Number	037204.56176US	
Sheet	1	of	1		

U.S. PATENT DOCUMENTS						
Examiner Initials ¹	Cite No. ¹	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)				
		US- 2003/096334 A1		05-22-2003	BUONO	
		US-4,764,360		08-16-1988	MALSON	

FOREIGN PATENT DOCUMENTS						
Examiner Initials'	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ –Number ⁴ –Kind Code ⁵ (if known)				
		WO 99/58160	05-07-1999			
		WO 03/043548	05-30-2003			
		WO 02 07693	01-31-2002			
		GB 2 026 015	01-30-1980			
		EP 0 037 905	10-21-1981			
		WO 99/58160	11-18-1999			

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials [*]	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		International Search Report	
		K.D. SOLOMON, et al., "Protective Effect of the Anterior Lens Capsule During Extracapsular Cataract Extraction", Ophthalmology, J.B. Lippincott Co., May 1, 1989, pages 591-597, XP002082494.	
		M. VECKENEER, et al., "Ocular Toxicity Study of Trypan Blue Injected Into the Vitreous Cavity of Rabbit Eyes", Graefe's Archive of Clinical and Experimental Ophthalmology, November 8, 2001, pages 698-704, XP002268940.	

Examiner Signature		Date Considered	
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^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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